REMARKS

Applicants note with appreciation the Examiner's allowance of claims 49-57, 60-66, 68-75 and 77-79. For reasons set forth below, it is respectfully submitted that all claims are in condition for allowance.

Claims 115-116 and 118-121 stand rejected under 35 U.S.C. §103 as unpatentable over newly-cited and applied U.S. Patent 6,021,263 to Kujoory et al. in view of newly-cited and applied U.S. Patent 6,603,738 to Kari et al. This rejection is respectfully traversed.

Kujoory's invention is used in a network utilizing Internet Protocol (IP), Resource Reservation Protocol (RSVP), and Asynchronous Transfer Mode (ATM) protocol. A policy mapping data base accessible by both the RSVP and ATM protocol stacks, maps RSVP parameters to ATM parameters along with general customer data outside those protocol stacks. The goal is to map RSVP flow specifications to ATM quality of service parameters.

The Examiner relies on Figure 2 and the classifier 110 as allegedly teaching merging packets from different sessions with the same quality of service, making reference to column 3, lines 31-45. Applicants respectfully disagree. As explained in column 3, lines 31-33:

> In the current implementation of RSVP, packets are classified based on the their 'session' and 'filterspec' parameters (based on among other things, source and destination addresses).

The flow specification describes the characteristics of the packet stream sent by the source. The router classifier 110 in Figure 2 "*separates* communicating packets based on their 'session' and 'filterspec' parameters as shown by 120. The packets are then channeled into a packet scheduler 130 for processing by an output driver." Column 3, lines 37-41. Thus, the classifier 130 *separates* packets based on their session.

Claim 115 recites a radio packet network node that serves plural mobile radio hosts that each have established a packet session over the radio interface, and each session includes plural application flows. Each flow corresponds to a stream of packets and has its own quality of service. The electronic circuitry in claim 115 is configured to "*merge* packets from different sessions with a same quality of service destined for different mobile radio hosts within a geographical area." In contrast to *merge* the classifier 110 in Kujoory *separates* packets based on their sessions and filterspec parameters. There is no teaching of merging packets from different sessions with the same quality of service destined for different mobile radio host within the same geographical service area. Although packets from a particular session are separated out by Kujoory from other session packets, classifier 110 does not merge of packets from different sessions with the same quality of service destined for different mobile radio hosts within the same geographical service area.

In addition to this deficiency, the Examiner admits (1) that Kujoory fails to disclose assign packets destined for a same geographical service area but with different qualities of service to different priority queues corresponding to the qualities of service. The Examiner further admits (2) that Kujoory fails to disclose removing a large number of packets from a queue having a higher quality of service than a lower quality of service and destined for a different mobile radio hosts within the same geographical service area. For these two additional deficiencies, the Examiner relies on Kari.

Kari discloses GPRS routers that provide separate queues for each service, quality of service, or subscriber. The amount of data sent from the queue is controlled based primarily on subscriber quality of service. Like Kujoory, Kari fails to disclose *merging* "packets from different sessions with a same quality of service destined for different mobile radio hosts within

the same geographical service area." Thus, even if Kujoory and Kari could be combined, for purposes of argument only, their combination still fails to disclose all of the features of independent claim 115. Kujoory and Kari both describe *separating* applications based on different quality of service parameters or based upon different subscribers having different quality classes. But separating packets is not the same thing as merging packets from different radio host sessions with the same quality of service destined for distant mobile radio host within the same geographical service area.

Kujoory or Kari also fail to disclose or suggest determining those different mobile radio hosts that are within the same geographical service area for the purpose of merging packets from their different sessions with the same quality of service. The Examiner refers to column 3, lines 61-64 of Kari et al. which states:

> The subscribers can also be divided into different quality classes. Prioritization can be effected so that separate queues are formed for the data on the basis of each criterion.

There is no disclosure or suggestion in this text of determining which different mobile radio hosts are within the same geographical service area. Nor is there any teaching in this text of merging packets from different sessions with the same quality of service for different mobiles within the same geographical service area.

The same deficiencies in Kujoory and Kari area also present with respect to the electronic circuitry recited in independent claim 118. Although the Examiner does not mention Hoffman et al. in the formal statement of rejection number paragraph 2, on page 2 of the Office Action, the Examiner makes reference to a third patent to Hoffman et al. at the middle of page 4, with respect to the rejection of claim 118. This rejection is also traversed.

Hoffman discloses a multilayer network element for forwarding packets. When output queues exceed or meet a threshold value below the queue's capacity, packets are randomly discarded. The packet flow that caused the queue to overflow is lowered in priority.

Although Hoffman monitors each application flow to determine whether a transmission volume is exceeded, there is no teaching in Hoffman of merging packets from different sessions with the same quality service destined for different mobile radio host within the same geographical service area. Thus, even the combination of the three references could be made, it does not disclose or suggest all of the features of independent claim 118.

Accordingly, the application is in condition for allowance. A notice of allowance is respectfully requested.

Respectfully submitted,

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